



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

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October 15, 2002

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**LETTER OF DEFICIENCY
No. WMD 02-38**

Timken Aerospace
336 Mechanic Street
Lebanon, New Hampshire 03766

Attn: Mr. Ron Menning, President

**Re: Timken Aerospace
Lebanon, New Hampshire
EPA ID # NHD073964496**

Dear Mr. Menning:

On July 9, 2002, the Department of Environmental Services (DES) conducted an inspection of Timken Aerospace (Timken). The purpose of the inspection was to determine Timken's compliance status with RSA 147-A and its implementing regulations, the New Hampshire Hazardous Waste Rules (codified as Env-Wm 100-1100).

As a result of the inspection, the following deficiencies in your hazardous waste management program were documented:

Env-Wm 507.03(a)(1)d. - Container Marking

At the time of the inspection, four (4) 55-gallon containers of hazardous "Acid Waste," observed in the Main Storage Area, were not marked with the EPA or state waste number. (See hazardous waste container inventory).

Env-Wm 507.03(a)(1)d. requires that all containers used for the storage of hazardous waste be marked with the EPA or state waste number.

DES requests that Timken properly mark all containers of hazardous waste at the time they are first used to store waste with the EPA or state waste number.

2. Env-Wm 509.02(a)(1) – General Inspection Requirements

A review of Timken's Hazardous Waste Inspection Checklist revealed that the section to document the date and nature of repairs or remedial actions taken was not included.

Env-Wm 509.02(a)(1), which references 40 CFR 265.15, requires full quantity generators to conduct and document inspections of the facility, including hazardous waste storage areas. The inspections are required to be recorded in a log which includes the area being inspected, the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of the repairs or other remedial actions taken.

DES requests that Timken amend the existing Hazardous Waste Inspection Checklist to reflect the date and nature of any necessary repairs or remedial actions taken. Please submit an updated Hazardous Waste Inspection Checklist to DES.

3. Env-Wm 509.02(a)(2) – Personnel Training

A review of Timken's personnel training program revealed the following deficiencies:

- A. Primary Emergency Coordinator Robert Booth did not receive hazardous waste management training in the year 1999. Secondary Emergency Coordinator Steve Davis did not receive hazardous waste management training within six (6) months of his assignment as Secondary Emergency Coordinator in 2001.
- B. Instructors, including Nancy Kirk Halpin and Tom Truman, who are also handlers of hazardous waste, have not received hazardous waste management training.
- C. Training records provided to DES failed to document that Timken's training program included a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that hazardous waste management training and annual reviews are conducted for emergency coordinators and personnel handling hazardous waste.

DES requests that Timken conduct and document hazardous waste training and annual reviews for all Emergency Coordinators, hazardous waste trainers, and employees who handle hazardous waste. DES also requests that Timken maintain a written personnel training program which provides a description of the type and amount of introductory and continuing training that is required for persons filling each hazardous waste related position. Furthermore, DES requests that Timken maintain, as part of the program, documents of hazardous waste job titles, job descriptions, and names of employees filling

each position (Refer to the enclosed Hazardous Waste Generator RCRA Inspection Checklist). Please submit a copy of this personnel training program to DES. Enclosed please find a suggested outline for personnel training records that may be used as a guide.

4. Env-Wm 509.02(a)(4) – Preparedness and Prevention (FQGs)

At the time of the inspection, DES documented that Timken had failed to maintain the required spill control equipment and decontamination equipment within 100 feet of the “Main Storage Area”.

Env-Wm 509.02(a)(4), which references 40 CFR 265.32, requires that all facilities must have required equipment, including spill control equipment, and decontamination equipment. Required equipment is further defined in Env-Wm 509.02(f) to mean the equipment required at each hazardous waste storage area, not more than 100 feet from each area, accessible along a clear path.

DES requests that Timken maintain the required spill control and decontamination equipment within 100 feet of the Main Storage Area.

5 Env-Wm 509.02(a)(5) – Contingency Plan

A review of Timken’s contingency plan revealed deficiencies regarding the following:

The specific information to provide to local authorities during an emergency; and

The facility contingency plan did not list specific elements to be included in a 15-day report, listed in 40 CFR 265.56(j), that address details of the incident.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requests that Timken revise and update its contingency plan to correct any deficiencies as identified in the enclosed Hazardous Waste Generator RCRA Inspection Checklist. Enclosed please find a suggested outline for contingency plans which may also be useful as a guide.

6. Env-Wm 509.02(b) – Emergency Posting

At the time of the inspection, the emergency posting at the nearest telephone to the Main Storage Area was present but incomplete.

Env-Wm 509.02(b) requires that full quantity generators shall post a list of the steps to take if an emergency occurs and the following emergency numbers at the nearest telephone to the hazardous waste storage area (deficiencies are noted in italics):

- (a) The emergency coordinators (home and office);
- (b) The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team designated to provide emergency services whose number is posted; and
- (c) *The location of fire extinguishers and spill control material, and, if present, fire and internal emergency alarms.*

DES requests that Timken post the required information at the nearest telephone to the hazardous waste storage area. Enclosed is a sample emergency posting for your reference.

7 Env-Wm 807.06(b)(4) - Standards for Generators of Used Oil Being Recycled

At the time of the inspection, Timken was storing five (5) 55-gallon containers of used oil destined for recycling, which were not labeled with the words "Used Oil for Recycle." One (1) container was located adjacent to the "Turning Area", and four (4) containers were located in the "Secondary Area".

Env-Wm 807.06(b)(4) requires that generators of used oil destined for recycling label their containers and tanks with the words "Used Oil for Recycle" at all times during accumulation and storage.

DES requests that Timken label all containers of used oil identified above that are destined for recycle with the words "Used Oil for Recycle" at all times during accumulation and storage.

8. Env-Wm 807.06(b)(5) – Standards for Generators of Used Oil Being Recycled

At the time of the inspection, Timken was storing three (3) 55-gallon containers of used oil destined for recycling, which were not closed. One (1) container was located adjacent to the "Turning Area", one (1) container was located in the "Secondary Area", and one (1) container was located adjacent to the "Air Lock".

Env-Wm 807.06(b)(5) requires that used oil be placed in containers or tanks that remain closed at all times, except to add or remove wastes.

DES requests that all containers and tanks be kept closed at all times except to add or remove used oil. Safety funnels that thread into the bung and have closeable lids that seal are acceptable for this purpose.

9. Env-Wm 807.06(b)(7) and Env-Wm 807.10(b)(7) - Standards for Generators and Burners of Used Oil Being Recycled

At the time of inspection, it was disclosed that adequate used oil determinations had not been conducted for the following used oil waste streams:

1. "Ultrafiltration", currently disposed of as a MA99 waste.
2. "Broach oil", currently disposed of as a NH01/MA01 waste.
3. "Quench Oil", currently disposed of as a NH01/MA01 waste.
4. "Waste Oil", which is currently and has historically been burned on site.

Env-Wm 807.06(b)(7) and Env-Wm 807.10(b)(7) require used oil generators and burners of used oil to conduct an initial used oil determination by analyzing it for all of the parameters specified in Env-Wm 807.02 and Env-Wm 807.03 (exclusive of PCB's if no source of PCB's is present).

DES requests that Timken conduct an initial used oil determination for the above-listed wastes for the parameters outlined in Env-Wm 807.02 and Env-Wm 807.03. These parameters include arsenic, cadmium, chromium, lead, flash point, and total halogens. Timken should provide the results of the used oil determination to DES. Enclosed please find a summary of requirements for the management of used oil being recycled, and a list of laboratories that perform used oil analysis.

10. Env-Wm 1102.03(c)(1) – Universal Waste Management

At the time of the inspection, one (1) container of universal waste cathode ray tubes (CRTs) and four (4) containers of universal waste lamps, located on the back loading docks, were not closed.

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requests that Timken ensure that containers of universal waste CRTs and lamps are closed, except when universal waste is being added or removed from the container. Enclosed please find the DES Environmental Fact Sheets #WMD-HW-7 "Universal Waste Lamps: Management Requirements for Handlers and Transporters", and #WMD-

HW-25 "Proper Management of Cathode Ray Tubes from Computer Monitors and Televisions."

Env-Wm 12.04 - Universal Waste Management

At the time of the inspection, four (4) containers of universal waste lamps were not marked with the words "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

Env-Wm 1112.04 requires universal waste handlers to ensure all container(s) holding universal waste lamps to be clearly labeled or marked with any of the following: "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

DES requests that Timken clearly label or mark container(s) holding universal waste lamps with any of the following: "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

12. Env-Wm 13.04 - Universal Waste Management

At the time of the inspection, one (1) container of universal waste CRTs was not marked with the words "Universal Waste – Cathode Ray Tubes", "Waste Cathode Ray Tube(s)", or "Used Cathode Ray Tube(s)".

Env-Wm 1113.04 requires universal waste handlers to ensure all container(s) holding universal waste CRTS to be clearly labeled or marked with any of the following: "Universal Waste – Cathode Ray Tubes", "Waste Cathode Ray Tube(s)", or "Used Cathode Ray Tube(s)".

DES requests that Timken clearly label or mark container(s) holding universal waste CRTs with any of the following: "Universal Waste – Cathode Ray Tubes", "Waste Cathode Ray Tube(s)", or "Used Cathode Ray Tube(s)".

Enclosed, please find the DES Air Resources Division Fact Sheet which summarizes the criteria for used oil burners to comply with the requirements of Env-A 1400. Please review the criteria and determine if Timken is required to notify Air Resources Division and obtain a permit. Also, please provide a written response to the Waste Management Division detailing your findings and actions taken/to be taken.

DES believes the cited deficiencies can be corrected and a report describing the corrective measures taken by Timken can be submitted within thirty (30) days of receipt of this letter. Supporting documentation that describes the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against Timken, including issuing an order requiring that deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may reinspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with the applicable rules. Fines may be pursued for any or all violations observed during subsequent inspections of the facility.

The written report as requested above should be addressed as follows

Kenneth W. Marschner, Administrator
DES/WMD
6 Hazen Drive
Concord, New Hampshire 03301-6509

Enclosed you will find a copy of the completed Hazardous Waste Generator RCRA Inspection Checklist which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at 271-2942.

Should you have any questions regarding this letter, please contact the lead inspector, Jessica Cajigas or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

COPY


Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

CERTIFIED MAIL RRR# 70993400000297731335

cc: DB/RCRA/LOD/Archives
Philip J. O'Brien, Ph.D., Director, WMD
Gretchen Rule, Administrator, DES Legal Unit
Jonathan Stark, Safety & Environmental Coordinator, Timken Aerospace

E-mail: JJD/SD/SD/PM

Enclosures: Inspection Checklist
Hazardous Waste Container Inventory
Suggested outline for personnel training records
Suggested outline for Contingency Plans
Sample Emergency Posting
Summary of Requirements for Management of Used Oil Being Recycled
NHDES List of "Laboratories that perform used oil analysis"
NHDES Environmental Fact Sheet #WMD-HW-7 "Universal Waste Lamps: Management...."
NHDES Environmental Fact Sheet #WMD-HW-25 "Proper Management of Cathode Ray Tubes."
NHDES Air Resources Division "Frequently Asked Question: Toxic Air Pollutants"